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C O N F I D E N T I A L SECTION 01 OF 03 SARAJEVO 001388

SIPDIS

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TAGS: [PGOV](#) [PREL](#) [KCRM](#) [BK](#) [EU](#)  
SUBJECT: BOSNIA: SOME PROGRESS TOWARD VISA LIBERALIZATION  
REQUIREMENTS

REF: SARAJEVO 867

Classified By: DCM Jonathan Moore for reasons 1.4 (b) and (d)

#### Summary

1. (U) Following the uproar among local politicians over the EU's decision in July to reject Bosnia from gaining entry into the EU's visa liberalization regime this past July (reftel), Bosnia has made strides in implementing visa roadmap requirements, with EU prodding. Notably, it began issuing biometric passports several months ahead of the January 1, 2010 target deadline. Bosnia must still address a few politically-sensitive issues before it can get a green light from the EU on visa-free travel, but this is still possible by mid-2010. End summary.

#### Bosnia's Visa Liberalization Scorecard

2. (U) Since being denied entry into the EU's visa liberalization regime in July, and despite the blame being heaped on the EU by Bosnian political leaders for allegedly raising the bar for Bosnia, Bosnia has been working to fulfill many requirements laid out in the visa liberalization roadmap, with constant EU prodding. The road map, presented to Bosnia in June 2008, consists of four blocks (document security, illegal migration, public order and security, and external relations and fundamental rights). Based on our conversations with Bosnian and EC contacts, we have produced the following scorecard assessing Bosnia's progress in implementing the road map:

--Block 1 (Document Security): commendable progress achieved, Bosnia is issuing biometric passports;  
-- Block 2 (Illegal migration, including readmission): steady progress being made;  
--Block 3 (Public order and security): weakest area -- significant work remains on politically sensitive issues which may delay Bosnia's entry into the visa liberalization regime;  
--Block 4 (External Relations and Fundamental Rights): good progress but the closure of entity ombudsman offices still needs to be carried out.

#### Plusses

3. (U) In separate discussions with us on December 14 and 15, Samir Rizvo, the Visa Liberalization Coordinator at the Ministry of Security, and EU contacts expressed a relatively optimistic view on Bosnia's progress in implementing the road map. They reported that a European Commission (EC) delegation that visited Bosnia the week of December 7 assessed Bosnia's progress on document security quite

positively. The delegation noted that Bosnia's Agency for Identification Documents, Data Registers and Data Exchange (IDDEEA) had started issuing biometric passports in mid October -- ahead of the January 1 target date. Bosnia had also put in place a new passport issuing system in July 2009 to allow for electronic identity verification of passport applications at each stage of the procedure. Moreover, data on each passport applicant from municipal registers is being transferred to a central register maintained by IDDEEA.

¶4. (C) Our EU contacts shared the view that the quality of Bosnia's biometric passports (which are produced by a German state firm, Bundesdruckerei) is better than those produced in some EU member states. They also indicated that Block 1 is "practically closed." However, this message is not being conveyed to the Bosnian government, out of fear that it would become complacent in fulfilling other, more politically sensitive, requirements.

¶5. (U) Rizvo and our EU contacts agreed that Bosnia has made significant progress on requirements related to external relations and fundamental rights, with the adoption of an anti-discrimination law in July 2009 and the introduction of a formal system to collect information related to ethnically-motivated incidents. They pointed out that in November Bosnia launched an assessment of the needs of the Roma (estimated at 40,000 to 80,000), and over the past several months, established policies and guidelines to make the State Ombudsman's Office more operational (though staffing is still insufficient).

¶6. (U) Bosnia is continuing to make strides to address

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illegal immigration. It adopted a new Law on Border Control in June and is working on finalizing and adopting all necessary bylaws. It has established joint border patrols with neighboring countries and has continued to upgrade infrastructure at its Border Crossing Points (BCPs). Installing IT and biometric readers at the BCPs is a priority, as well as connecting the BCPs to an integrated data system. Bosnia also adopted a new bylaw on asylum needed to implement the 2008 Law on Movement and Stay of Aliens and Asylum, as well as the first comprehensive migration profile system combining data on, for example, the issuance of visas, residence and work permits, refusals at entry and illegal border crossings). Although Bosnia has not yet begun construction on a permanent center for asylum seekers, it upgraded the temporary center in Rakovica, just outside of Sarajevo.

#### New State-level Anti-Corruption Body Taking Shape

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¶7. (U) Bosnia is taking some steps to implement requirements related to public order and security, an area that is of particular interest to the EU. It incorporated international standards on money laundering and the financing of terrorist activities into a new law in July. And in September, it adopted a revised national strategy and action plan on the prevention and fight against money laundering and the financing of terrorist activities, along with a national action plan for drug control, suppression, and prevention. Particularly noteworthy is the fact that the House of Peoples on December 15 adopted a law establishing a new state-level anti-corruption agency tasked with monitoring corruption. This is despite long-standing efforts by the Republika Srpska (RS) to resist creating new state-level agencies. The RS finally gave its support to the initiative after being assured that the new agency would not have investigative authority. Although the House of Representatives and the House of Peoples must still reconcile differing texts of the law, it is hoped that these differences will be ironed out and that the new agency will take shape soon, particularly with the EU's push for it to have a sufficient budget and to be adequately staffed.

## Outstanding Issues

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¶18. (C) Despite the tangible progress made, Bosnia must still address several outstanding politically sensitive issues if it hopes to gain access to visa free travel to the EU. Bosnia's failure to close entity ombudsman offices is one such issue. Upon his return from a recent trip to Brussels, Rizvo stated publicly that the failure by the entities to eliminate their ombudsman offices was of particular concern to the EU. When asked, Rizvo told us he had singled out the ombudsman issue because it is the only issue over which there is a significant degree of uncertainty. Rizvo said he hoped to prod Bosnian officials to resolve the issue once and for all. EU officials pointed out to us that Bosnia's failure to close the entity ombudsman offices largely prevents it from having block 4 closed. The RS National Assembly is supposed to discuss the issue in a special session next week, while the Federation government has passed a law to close its ombudsman office, but will wait to do so until the RS closes its office.

¶19. (U) All of the other politically sensitive issues that Bosnia must still address largely fall under public order and security. There is still much disagreement among members of Parliament over a package of amendments to the BiH Criminal Code with regard to organized crime, terrorism financing, trafficking in persons, and confiscation of assets. These amendments are aimed at ensuring that Bosnia meets EU standards. Once they are adopted, the entities and Brcko District would have to follow suit and harmonize their laws with the state-level laws. In particular, delegates are unable to agree on the text of two of the more controversial amendments, one dealing with genocide and the other with confiscation of assets.

¶10. (U) Improving cooperation among law enforcement agencies nation-wide is another issue that Bosnia must address. There was a solution reached among the law enforcement agencies to have a server to host data exchange be temporarily located at the Ministry of Security. However, RS officials are not implementing the solution, presumably out of concern that they would lose control of their data. Separately, the appointment of the head of the Directorate

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for Coordination for Police Bodies is still pending. Having a new head in place would, in theory, strengthen inter-agency coordination and information exchange.

## Looking Ahead

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¶11. (U) Both Rizvo and our EU contacts maintained that Bosnia could get the green light to join the EU's visa liberalization regime in late spring or early summer 2010. They stressed, however, that this assumes that Bosnian officials do not lose momentum in resolving issues. They said that Bosnia would need to take action before the visit of two other EC assessment missions the second and third week of February. The reports of these visiting missions will form the basis upon which the EU decides whether to grant Bosnia visa-free travel.

## Comment

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¶12. (C) All Bosnian politicians agree that entry into the EU's visa liberalization regime is a top priority. Fortunately, most of the initial, bitter rhetoric -- condemning the EU for the "ghettoization" of BiH -- has given way to practical work. The steps Bosnia has taken over the past six months, albeit with constant EU prodding, have been noteworthy. The fact that the RS has agreed to form a new state-level anti-corruption monitoring agency shows the

extent to which even the RS, which blocked many of the laws called for in the visa liberalization road map, is willing to go to gain visa-free travel. Bosnia will still need to address some outstanding issues if it hopes to obtain visa-free travel in mid-2010.

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